



# NATIONAL CITY POLICE DEPARTMENT

## Use of Force/Injured Officers/ Internal Affairs Statistical Report

2022

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## I. INTRODUCTION

During the last thirty years, the NCPD has utilized its Neighborhood Policing crime-fighting philosophy and a highly successful precision policing strategy to intently focus on reducing violence while simultaneously building trust and strengthening relationships in every National City neighborhood. The success of these efforts, largely attributed to dedicated personnel, innovative programs, enhanced training, improved resources, and technological advances, is built upon a foundation established decades ago when the NCPD, seeking to improve public safety and reduce the number of homicides within the city, began investing in “community partnerships” with shareholders within the City. That was the 1990’s and although policing in National City was a vastly different experience than it is today,



the development of partnerships with community shareholders altered the department’s use of force, both in procedure and in practice. The impact of these relationships continues to be influential today, as evidenced by evolving and well-defined Use of Force policies which are available for public view on our website.

The remarkable progress by members of the NCPD to reduce the amount of violent criminal activity is confirmation of the department’s profound commitment to improving the safety and welfare of everyone who lives in, works in, and visits National City. It builds upon the strength of effective policies, the significance of innovative training, the necessity of critical incident preparedness, and the value of personnel dedicated to the department’s mission. Moreover, it is an affirmation of the highest standards of professionalism, restraint, and respect for human life. While use of force including the use of deadly physical force, is sometimes necessary, the statistics clearly indicate that members of the NCPD seldom use force, and that they exercise substantial restraint if, and when, they do use force.

The **USE OF FORCE POLICY** portion of this report contains how we developed NCPD's Use of Force Policy and what laws, both federally and state, affect the development of the policy that National City Police Officers are guided by when applying use of force.



The **USE OF FORCE REPORT (STATISTICS)** section of this report

addresses the use of force data for the years 2021 and 2022. The data includes the type of force used by police officers. By providing this information to the public, we hope to show how infrequently officers use force when compared to the number of calls for service and officer initiated police activities. Included within this section is the number of calls for service from the community in 2021 and 2022.

The **USE OF FORCE REVIEW** portion of this report explains the Use of force review which is an internal oversight mechanism for maintaining the integrity of the department's Use of Force Policy.

The **OFFICERS INJURED IN USE OF FORCE REPORT (STATISTICS)** contains the number of officers who were injured during the course of their duties when use of force was used to gain compliance from a person who was being apprehended or detained.

The **INTERNAL AFFAIRS REPORT (STATISTICS)** portion of this report provides statistical information from the Internal Affairs Unit. Internal Affairs is the central point for investigating complaints of alleged employee misconduct. The Internal Affairs Unit prides itself in its ability to conduct fair, thorough and impartial internal investigations. This collection of data includes the number, types and disposition of investigations. The Department believes that this information helps

the public understand that police personnel are held accountable for inappropriate actions.

Lastly, the **CONCLUSION** provides the findings of the report to give insight on the levels of use of force reports, to the numbers of officers injured during these encounter and how these two events reflect on Internal Affairs Investigations that were initiated/generated throughout the two years.

**LEGEND FOR ACRONYMS:**

- **CFS** = CALLS FOR SERVICE
- **UOF** = USE OF FORCE
- **OIS** = OFFICER INVOLVED SHOOTING
- **IA** = INTERNAL AFFAIRS
- **CC** = CITIZEN COMPLAINT

**NATIONAL CITY CRIME STATISTICS 2021 – 2022**

	<b>2021</b>	<b>2022</b>
<b>Homicide</b>	3	7
<b>Rape</b>	18	24
<b>Robbery</b>	89	101
<b>Assault (excluding Simple Assault)</b>	258	190
<b>Residential Burglary</b>	48	50
<b>Commercial Burglary</b>	80	131
<b>Larceny</b>	840	786
<b>Motor Vehicle Theft</b>	314	286
<b>Arson</b>	15	11

**II. NCPD USE OF FORCE POLICY**

**LEGAL STANDARDS REGARDING USE OF FORCE:** Police officers, both in the State of California and across the country, are authorized to use reasonable force when encountering specific circumstances. Federal and state law define the standards of these circumstances and determine the amount of reasonable force.

The Constitutional standards for police use of force were established as a result of two U.S. Supreme Court cases, Tennessee v. Garner, 471 U.S. 1 (1985) and Graham v. Connor, 490 U.S. 386 (1989). Garner set forth the standard governing the use of deadly force, namely that officers may use deadly physical force when there is probable cause to believe that the subject poses a significant threat of death or

serious physical injury. Graham established that the review of an officer's use of force must be conducted with an objective reasonableness standard. The Court wrote that "the 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with 20/20 hindsight."

## **NEW LAWS INFLUENCING NCPD'S USE OF FORCE**

**Assembly Bill 26 - Peace officers use of force.** This law requires each law enforcement agency, on or before January 1, 2021, to maintain a policy that provides a minimum standard on the use of force. Existing law requires that policy, among other things, to require that officers report potential excessive force to a superior officer when present and observing another officer using force that the officer believes to be unnecessary, and to require that officers intercede when present and observing another officer using force that is clearly beyond that which is necessary, as specified.

This bill requires officers to immediately report potential excessive force, as defined. The bill additionally requires those policies to, among other things, prohibit retaliation against officers that report violations of law or regulation of another officer to a supervisor, as specified, and to require that an officer who fails to intercede be disciplined up to and including in the same manner as the officer who used excessive force. By imposing additional duties on local agencies, this bill did create a state-mandated local program.

**Assembly Bill 48 – Law Enforcement Use of Force.** This bill prohibits the use of kinetic energy projectiles or chemical agents by any law enforcement agency to disperse any assembly, protest, or demonstration, except in compliance with specified standards set by the bill, and prohibits their use solely due to a violation of an imposed curfew, verbal threat, or noncompliance with a law enforcement directive.

The bill would include in the standards for the use of kinetic energy projectiles and chemical agents to disperse gatherings the requirement that, among other things, those weapons only be used to defend against a threat to life or serious bodily injury to any individual, including a peace officer, or to bring an objectively dangerous and unlawful situation safely and



effectively under control. The bill defined chemical agents to include, among other substances, chloroacetophenone tear gas or 2-chlorobenzalmalononitrile gas. The bill would make these provisions inapplicable within a county jail or state prison facility.

This bill requires each law enforcement agency, within a specified timeframe, to post on their internet website a summary, as described, of any incident in which a kinetic energy projectile or chemical agent is deployed by that agency for the purpose of crowd control. The bill requires the Department of Justice to provide a compiled list of links to these reports on its internet website.

Use of force, in this context, is broadly defined to encompass a wide range of force options that may be employed to gain compliance or to ensure the control of a subject. In the vast majority of encounters, police achieve compliance by merely utilizing verbal commands. When those commands, however, are insufficient and a subject chooses to ignore instructions or resist, officers may use an array of force options in order to compel a subject to submit to lawful authority. NCPD policy states that “when appropriate and consistent with personal safety, members of the service will use de-escalation techniques to gain voluntary compliance from a subject to reduce or eliminate the necessity to use force. In situations in which this is not safe and/or appropriate, members of the service will use only the reasonable force necessary to gain control or custody of a subject.”

Force options include, physical force, less-lethal options (e.g., OC spray, TASER, canine, or impact weapons), to deadly physical force, when justified by the threat of violence. It is not required that officers move sequentially from one level of force to the next and, as such, officers may, for instance, escalate from verbal commands to pointing a TASER or de-escalate from a threatened use of force or the actual use of force to verbal commands as situations evolve.



### **Senate Bill 230 Law enforcement: use of deadly force: training: policies**

1. Heightens California's requirements for employing deadly force when confronting a fleeing felon to meet and exceed the standards set by the U.S. Supreme Court in *Graham v. Connor* and *Tennessee v. Garner*.
2. Requires the over 500 law enforcement agencies in California to include provisions in their use-of-force policy that provide comprehensive and clear guidelines on the utilizing de-escalation tactics, proportionality, alternatives to deadly force, rendering medical aid, an officer's duty to intercede when observing excessive use of force, interacting with vulnerable populations, reporting requirements and more.
3. Standardizes California law enforcement's use of force training to ensure each course covers critical topics, including but not limited to de-escalation, rendering medical aid, and the legal standards for use of force

### **DEFINITIONS OF FORCE OPTIONS**

**DE-ESCALATION** - Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, or/and resources can be called upon to resolve the situation without the use of force or without the reduction of force necessary

**ARREST AND CONTROL** - Defensive tactics are those physical techniques intended for use when weapons are not available or their use is inadvisable or unreasonable under the circumstances.

**IMPACT WEAPONS** - include the use of batons, and flashlights as a means of delivering a strike to a subject.

**LESS LETHAL** - includes the use of non-lethal chemical agents like OC pepper spray and pepper ball launcher. Other less lethal weapons include the use of the 12 gauge bean bag, sting ball grenades, 37 mm and 40 mm launcher, single shot, shoulder fired weapons and Tasers.

**LETHAL FORCE** - Is the intentional discharge of a firearm or other force that causes death or serious bodily injury.



**CANINE** - Is a tool that is used by a K-9 handler to apprehend fleeing or combative subjects.

**CONTROL HOLD** - Includes grab, push or pull, pressure points techniques.

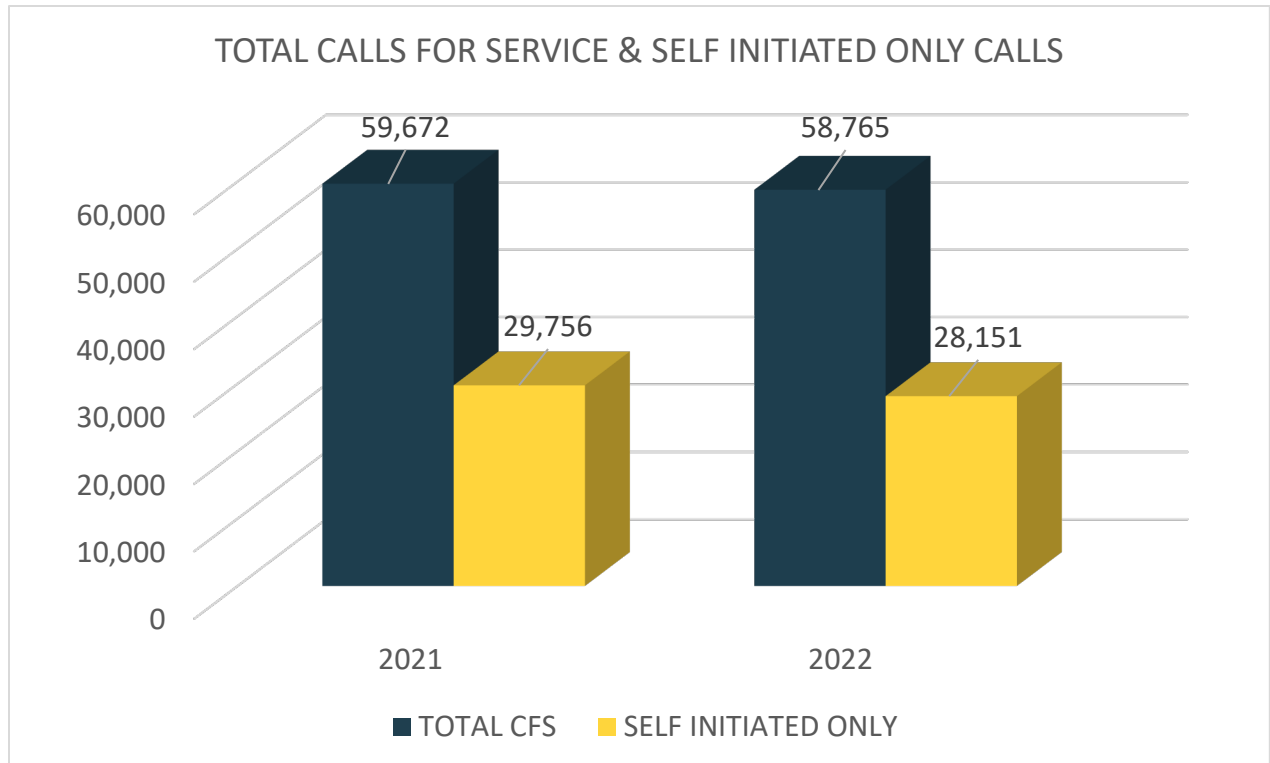


### III. USE OF FORCE REPORT (DATA)

The following table depicts the types of force used by the National City Police Department. Please note that the use of force totals may include scenarios where several uses of force were utilized during one incident and on the same suspect. This occurs when officers use one technique that was not effective.

### Overall Activity and Use of Force Incidents

YEAR	TOTAL NUMBER OF CALLS FOR SERVICE	SELF-INITIATED ONLY
2021	59,672	29,756
2022	58,765	28,151



How does an officer become involved in a use of force incident? An officer either responds to a call for service or makes an observation requiring lawful action. It is important to look at the overall Department activity compared to the number of force incidents.

Department activity is categorized and tracked as either calls for service or officer initiated activity. A call for service is a request from a member of the public or another agency for public safety services. Officer initiated activity results from an officer's own initiative or observation and does not require a request from the public or



another agency. Examples include: traffic stops, field interviews, transports, or other situations observed by the officer.

Another category of statistics is comparing the number of arrests made. An arrest is police activity that poses a high risk/high frequency of potential harm to the officer due to the subject's resistance during the encounter.

The following table compares overall activity and arrests with total number of use of force incidents. Use of Force totals reflect the number of incidents in which force was used.

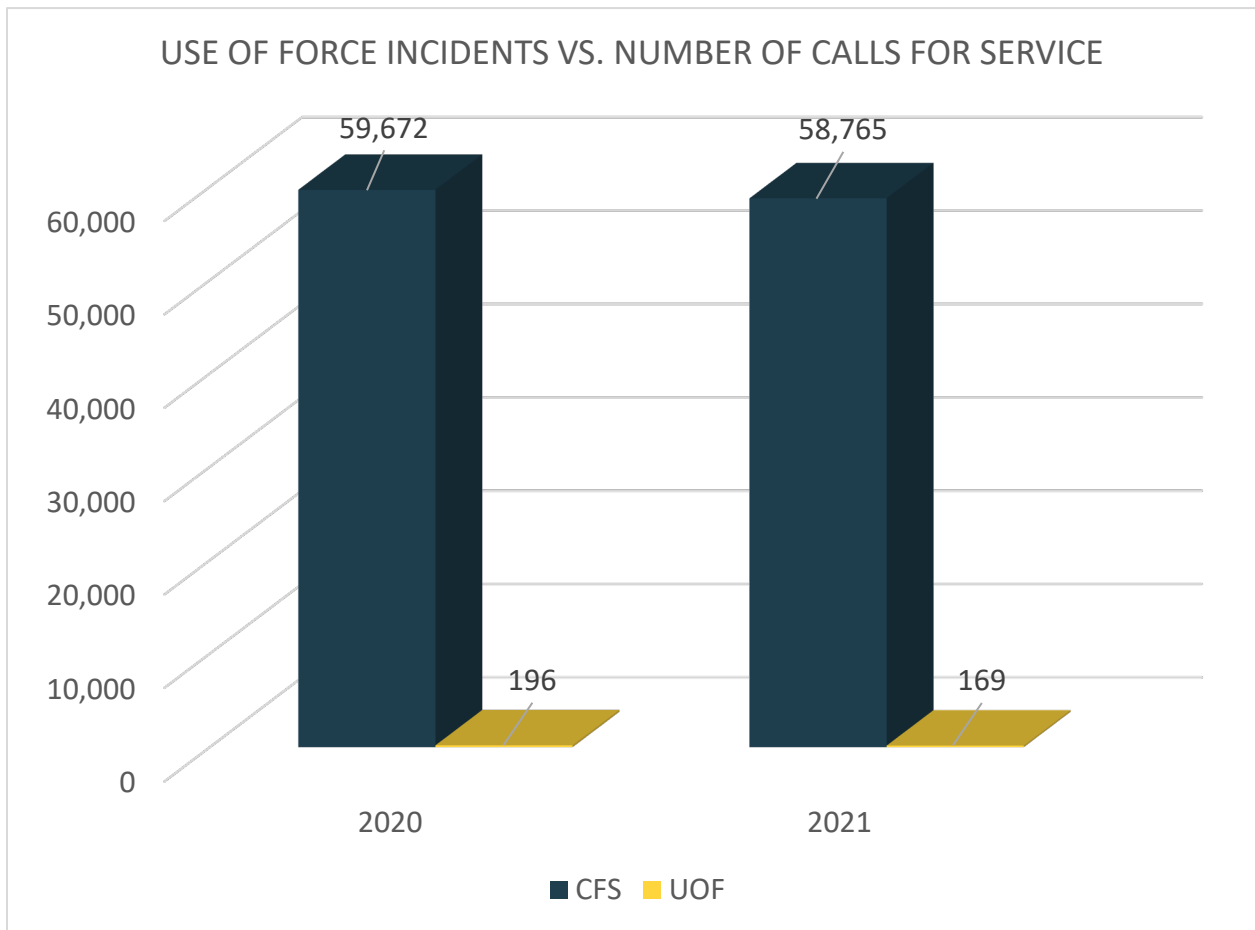
YEAR	CALLS FOR SERVICE	USE OF FORCE	ARRESTS	COMPLAINTS
2021	59,672	196	1,972	5
2022	58,765	169	1,867	16

**Breaking Down the Use of Force Data:**

What percentage of time is force used in calls for service (including self-initiated calls)?

NCPD Officers used force 0.032% in 2021 and 0.287% of the time in 2022 when responding to calls for service.

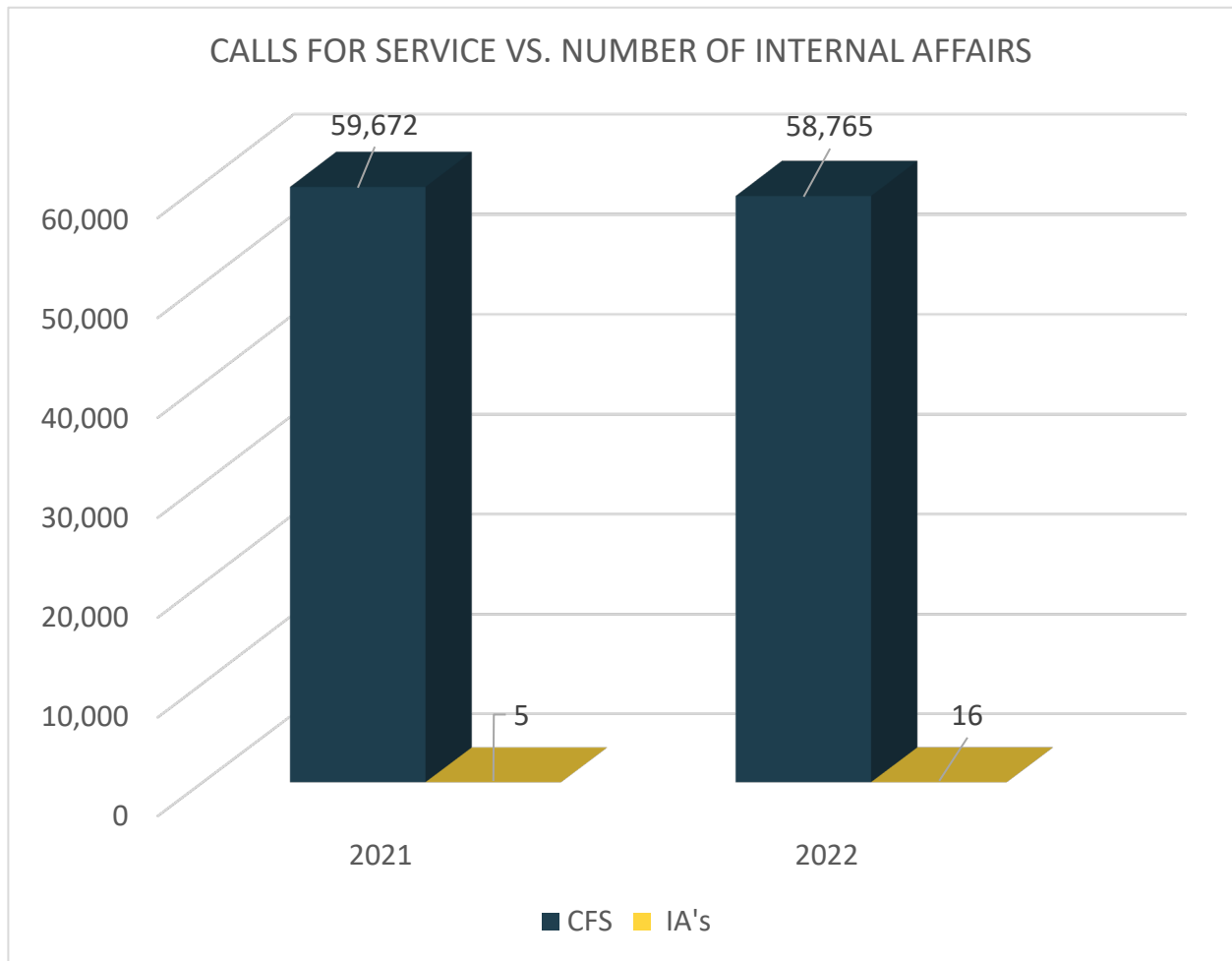
YEAR	# OF CFS	# OF UOF INCIDENTS	% OF TIME FORCE WAS USED
2021	59,672	196	0.032%
2022	58,765	169	0.287%



**Breaking Down The Use Of Force Data Continued:**

NCPD Officers generated complaints/Internal affairs complaints .008% in 2021 and in 2022, .027% when responding to the total calls for service to include self-initiated calls.

YEAR	# OF CFS	# OF IA's INITIATED	% IA CASES INITIATED
2021	59,672	5	.008%
2022	58,765	16	.027%





#### IV. USE OF FORCE REVIEW / I.A REPORT (DATA)

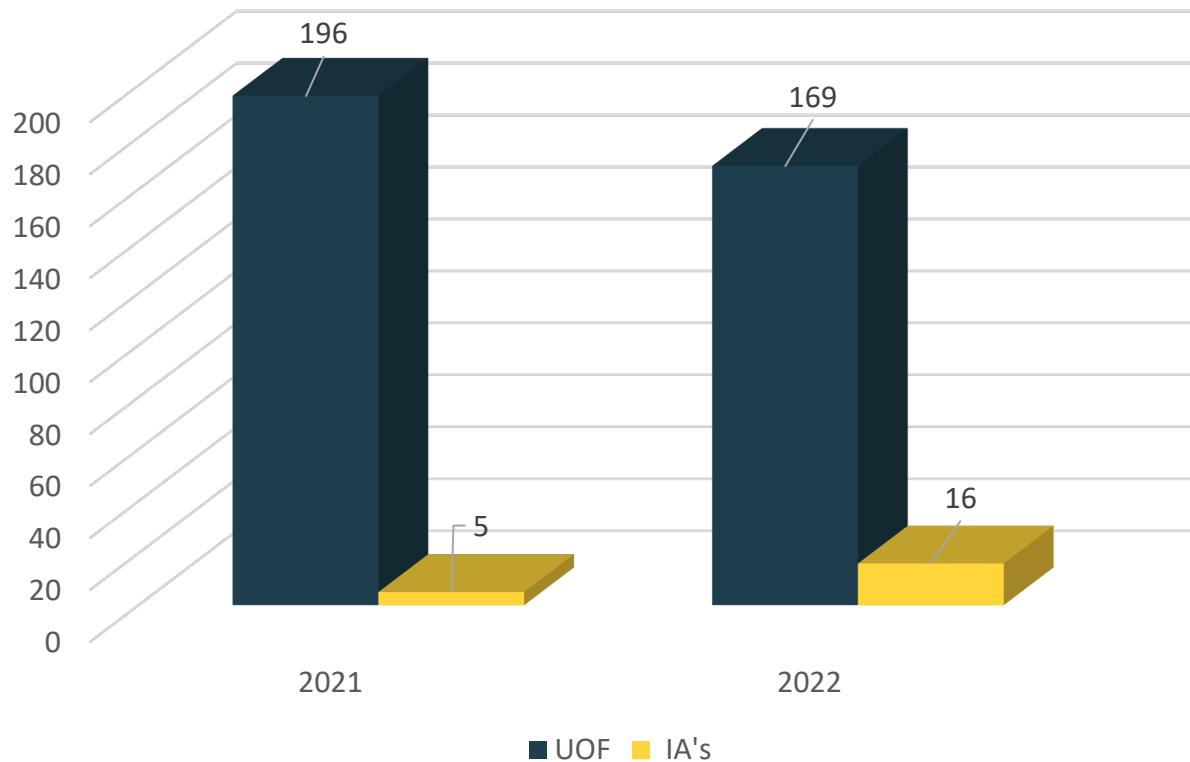
The Use of Force Review is routed up the chain of command from line-level sergeants to watch commanders to the captains and finally the Chief of Police. Use of force review is an oversight mechanism for maintaining the integrity of the department’s force policy. Composed of executive staff members, this collective of supervisors, review the most serious force cases and renders determinations regarding the actions of members of the department during force encounters. When applicable, use of force incidents are referred to the Internal Affairs Division for investigation.

#### Use of Force Option Breakdown:

The following table depicts the types of force used by the National City Police Department. Please note that the use of force totals may include scenarios where several uses of force were utilized during one incident and on the same subject. This occurs when officers use one technique that was not effective

Force Option	Times Used		% of Total Uses of Force	
	2021	2022	2021	2022
Defense Tactics	66	99	34%	59%
12 Gauge (Bean Bag)	3	2	2%	1%
Flashlight	1	1	1%	1%
37/40mm(beanbag/chemical agent)	0	0	0%	0%
Baton	0	0	0%	0%
Firearm	1	0	1%	0%
OC pepper spray	2	1	1%	1%
Canine	6	3	3%	2%
Taser	11	2	6%	1%
LVNR	0	0	0%	0%
Pepper ball	3	2	2%	1%
Pointing of a Firearm	103	59	53%	35%
<b>Total</b>	<b>196</b>	<b>169</b>	<b>103%</b>	<b>101%</b>
<b>Total Overall Increase/Decreases (2021-2022)</b>		<b>-14%</b>		


**USE OF FORCE INCIDENTS VS. NUMBER OF INTERNAL AFFAIRS INITIATED**



<b>USE OF FORCE INCIDENTS COMPARED TO INTERNAL AFFAIRS INVESTIATIONS</b>	<b>2021</b>	<b>2022</b>
TOTAL NUMBER OF USE OF FORCE INCIDENTS	<b>196</b>	<b>169</b>
TOTAL NUMBER OF INTERNAL AFFAIRS INVESTIGATIONS	<b>5</b>	<b>16</b>

**V. OFFICERS INJURED IN USE OF FORCE REPORT (DATA)**

In 2021, there were 13 injured, and in 2022 there were 6 officers injured during the course of an arrest or UOF encounter, the majority of these injuries required medical treatment.

	2021	2022	Total
<b>Officers Injured</b>	<b>13</b>	<b>6</b>	<b>19</b>